GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Subordinate Judiciary - Disciplinary proceedings against Sri M.Tirupathi Rao, Superintendent, Judicial Magistrate of First Class Court, Rampachodavaram, (compulsorily retired from service on 01.10.2009) - Charges held Proved – Imposing penalty of withholding of 25%(Twenty Five Percent) of pension permanently on him, under Rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 - Orders – Issued.

HOME (COURTS-B) DEPARTMENT

G.O.MS.No. 65 Dated: 19-04-2017

Read the following:

1) From the Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad D.O.Lr.No.1165/2011-Vigilance Cell, dated 27.08.2011.
2) Govt. Memo No.36039/Courts.D/D1/2012, dated 20.12.2012.
3) From Sri M.Tirupathi Rao, Superintendent, Judicial Magistrate of First Class, Rampachodavaram, explanation dated 10.09.2013.
4) Govt. Letter No. 36039/Courts.D1/2012, dated 11.02.2014.
5) From the Secretary, Andhra Pradesh Public Service Commission, Letter No.665/RT/2/2014, dated 11-12-2014.
6) Govt. Letter No.6456/Courts.B2/2012, dated 27.03.2015.
7) Govt. Letter No.6456/Courts.B2/2012, dated 07.08.2015.
8) Govt. Letter No.6456/Courts.B2/2012, dated 23.07.2016.
9) From the Secretary, Andhra Pradesh Public Service Commission, Letter No.605/DC&C/1/2016, dated 06.08.2016 along with a copy of the Commission's Letter No. 665/RT/2/2014, dated 31.05.2014.

&&&&&&

ORDER :

Whereas, the Registrar (Vigilance), High Court of Andhra Pradesh, Hyderabad, in the letter 1st read above, has stated that regular departmental enquiry was conducted under the provisions of Andhra Pradesh Civil Services Rules, 1991 against Sri M. Tirupathi Rao, formerly Superintendent, Judicial Magistrate of First Class, Rampachodavaram, East Godavari District(later compulsorily retired from service on 01.10.2009) for the following Articles of charge framed against him;

1) ""That you, Sri. M.Tirupathi Rao, Superintendent, have collected fine amount of Rs.1000/- on 25.11.2005 in C.C.No:432.2004 on the file of Judicial Magistrate of 1st Class Court, Prathipadu and issued receipt No:8106 to that effect, but was not remitted the same to the Government to the relevant Head of Account, during your tenure worked at Prathipadu, which amounts to misappropriation of Government amount and thereby rendered yourself liable for punishment under A.P. Civil Services (CC&A) Rules, 1991.

2) That you, Sri. M.Tirupathi Rao, Superintendent, having received the letter sent by the Judicial Magistrate of 1st Class Court, Prathipadu in Dis.No:235 dated.05.03.2009 through the Judicial Magistrate of 1st Class Court, Addatheegala, along with official memorandum, calling for your explanation for your commission noted in Charge.No:1, did not acknowledge the receipt for the same in the receive Register. When Kum.Panda Latha, Personal Assistant asked you to acknowledge the receipt for the same you reported to have been told that "I am applying for leave I came here to distribute wedding cards in connection with marriage of my daughter; give them" In spite having received you did not submit your explanation or served copy as directed therein to the Judicial Magistrate of 1st Class Court, Prathipadu in that connection and thereby you committed mischief and dereliction in discharging your duties and thereby rendered yourself liable for punishment under A.P. Civil Services (CC&A) Rules, 1991."

Contd..2,

2. And whereas, the Registrar (Vigilance), while forwarding the entire record/material, has further stated that during the enquiry the above charges are held "proved". Since the individual compulsorily retired from service on 01.10.2009, the Registrar (Vigilance), has requested the Government to pass final orders against Sri M. Tirupathi Rao, Superintendent (Retired), the charged employee, as the Government is competent to pass final orders in respect of retired employees under Rule 9 (2) (a) of the A.P. Revised Pension Rules, 1980.

3. And whereas, Government have examined the matter and provisionally decided to impose a penalty of withholding 25% (Twenty Five Percent) of Pension permanently on Sri M.Tirupathi Rao, Superintendent, Judicial Magistrate of First Class Court, Rampachodavaram, (compulsorily retired from service), under Rule 9(2)(a) of the Andhra Pradesh Revised Pension Rules, 1980, for the charge held proved against him.

4. And whereas, in the Government Memo 2nd read above, the charged officer was directed to Show Cause as to why the punishment mentioned in para (3) above shall not be imposed on him for the charges held proved against him.

5. And whereas, the charged officer has submitted his explanation, vide letter 3rd read above, denying the charge levelled against him and requested to withhold 2% of pension instead of the proposed 25% pension cut.

6. And whereas, Government after considering the explanation of the charged officer with reference to the records made available, have decided to confirm the provisional decision of imposing the penalty and accordingly the Secretary, Andhra Pradesh Public Service Commission was requested to place the matter before the Commission for its concurrence on the decision of the Government, vide letter 4th read above.

7. And whereas, the Secretary, A.P.Public Service Commission, in response to the correspondence vide letters 6th to 8th read above, has communicated the concurrence of the APPSC, vide letters 9th read above, wherein the commission agreed with the proposal of Government to impose the said penalty on the charged officer.

8. Now, therefore, Government after careful examination of the entire matter, hereby impose a penalty of "withholding of 25% (Twenty Five Percent) of Pension permanently" on the charged officer Sri M.Tirupathi Rao, Superintendent, Judicial Magistrate of First Class Court, Rampachodavaram, (compulsorily retired from service), under rule 9(2)(a) of the Andhra Pradesh Revised Pension Rules, 1980, for the charge held proved against him.

9. Copies of the letters 9th read above received from the Secretary, Andhra Pradesh Public Service Commission, are furnished herewith to Sri M.Tirupathi Rao, Superintendent, Judicial Magistrate of First Class Court, Rampachodavaram, (compulsorily retired from service), as required under Rule-23 of the Andhra Pradesh Civil Services (C.C.& A.) Rules, 1991.

10. The Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, is requested to take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.S.S.V. DURGA PRASAD
SECRETARY TO GOVERNMENT

To
The Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.

Contd..3,

The District Judge, East Godavari District.
The individual through the Registrar (Vigilance), High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh.
Copy to:
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Pay and Accounts Office, Andhra Pradesh, Vijayawada.
The District Treasury Office, East Godavari District.
The Law (C) Department
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER